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January 22, 2010

U.S. District Judge Lawrence L. Piersol
440 S. Phillips Ave., # 202
Sioux Falls, SD 57104

Re: United States v. Richard Marshall
CR 08-50079

Dear Judge Piersol:

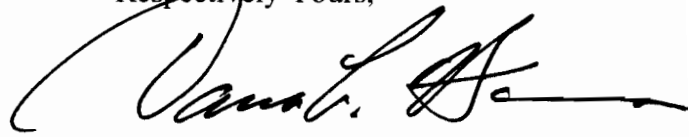
I am writing to bring a couple of matters regarding scheduling to the court's attention.

First, with regard to the court's order directing the government to investigate and disclose information concerning evidence destroyed by the Denver Police Department, the court did not order the government to make that disclosure by any specific time. I would respectfully request that the court direct the government to provide that information by February 3rd, so that if it becomes necessary for me to subpoena any witness or materials for a pretrial hearing or for trial, I will have sufficient time to do so.

Also, on May 5th of last year, the court ordered that a pretrial evidentiary hearing be held to determine whether statements attributed to the defendant by government witness Serle Chapman would be admissible in evidence. The government was directed to produce Mr. Chapman in that hearing.

I would respectfully suggest that the court consider scheduling a pretrial hearing and conference sometime prior to February 16th, the trial date. In addition to any pretrial evidentiary hearing, there are also evidentiary issues and scheduling matters to be discussed and I believe that if we can discuss them and resolve them prior to trial it would save a great deal of time for the court and the jury during the trial. Thank you for giving these matters your consideration.

Respectively Yours,

A handwritten signature in black ink, appearing to read "Dana L. Hanna". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dana L. Hanna

cc John Murphy
AUSA John Mandel